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JONES DAY  
51 Louisiana Avenue, N.W.  
WASHINGTON DC 20001-2113

In re Application of  
David C. Paul et al :  
Serial No.: 09/828,625 :  
Filed: April 9, 2001 :  
For: Intervertebral Allograft Spacer :

NOTICE OF WITHDRAWAL  
FROM ISSUE  
UNDER 37 CFR 1.313(b)

The above-identified application is withdrawn from issue after payment of the issue fee due to unpatentability of one or more claims. See 37 CFR 1.313(b)(3).

The above-identified application is hereby withdrawn from issue.

The issue fee is refundable upon written request. If, however, the application is again found allowable, the issue fee can be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon written request. This request and any balance due must be received on or before the due date noted in the new Notice of Allowance in order to prevent abandonment of the application.

Telephone inquiries should be directed to John E. Kittle at (571)272-2975.

The above-identified application is being forwarded to the examiner for prompt appropriate action, including notifying applicant of the new status of this application.

John E. Kittle  
Director  
Technology Center 3700/2900